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Page 1

## 2001 DRAFTING REQUEST

### Bill

Received: **02/09/2001**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Dianne Cieslewicz**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Addl. Drafters: **shoveme**

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Submit via email: **NO**

Requester's email:

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### Pre Topic:

No specific pre topic given

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### Topic:

Zoning of upland environmental corridors

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### Instructions:

Same as 99 SB 428 (LRB-0388)

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gibsom 02/28/2001 shoveme 03/16/2001	wjackson 03/27/2001		_____			S&L
/1			martykr 03/30/2001	_____	lrb_docadmin 03/30/2001	lrb_docadmin 05/09/2001	

Vers.   Drafted   Reviewed   Typed   Proofed   Submitted   Jacketed   Required

FE Sent For:

at intro

<END>

03/30/2001 01:39:17 PM

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11 MES 3/16/01

FE Sent For:

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2001-2002

1999-2000 LEGISLATURE

LRB-0388/1

MGG&MES: gtl/mg/vl/mrc

WLJ

2455/1  
PMNR

2001 / **1999 SENATE BILL 128**

SOON

Note to LPS:  
draft must be resorted

March 1, 2000 - Introduced by Senators RISSE, BURKE and GEORGE, cosponsored by Representatives BOCK, BERGEAU and MILLER. Referred to Agriculture, Environmental Resources and Campaign Finance Reform.

Regan

LPS: Please proof amended stats. w/ stats.

- 1 AN ACT *to amend* 20.370 (3) (ma), 30.12 (4) (a), 30.202 (3), 30.204 (5), 41.41 (8),  
2 66.021 (7) (a), 66.023 (3) (e), 66.023 (7m), 66.024 (5m), 66.025, 70.32 (1g), 91.73  
3 (1), 289.33 (3) (d), 289.35 and 289.43 (7) (c); and *to create* 66.427 of the statutes;  
4 **relating to:** zoning of upland environmental corridors, requiring the exercise  
5 of rule-making authority and making an appropriation.

***Analysis by the Legislative Reference Bureau***

Under current law, a county must enact specific zoning ordinances to regulate activities in any shorelands that are in unincorporated areas of the county and a village or city must enact specific zoning ordinances to regulate activities in wetlands that are five acres or more in size and that are located in shorelands. These zoning ordinances must comply with standards established by the department of natural resources (DNR). Current law defines "shorelands" as lands within certain distances of navigable waters.

This bill creates similar requirements for upland environmental corridors. Under the bill, DNR must promulgate rules to establish criteria for determining what are to be considered upland environmental corridors. DNR must also promulgate rules to establish standards for identifying these corridors, including a minimum size requirement.

Once DNR identifies these corridors, the regional planning commission for the area in which each corridor is located must map the corridor. If a corridor is not under the jurisdiction of such a planning commission, the county, city or village (local unit

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of government) in which the corridor is located must either map the corridor or contract with a regional planning commission to perform the mapping.

The bill requires DNR to promulgate rules to establish objectives for protecting these corridors from land use practices that reduce the upland environmental corridors' natural values, including objectives as to the amount and type of development that may occur in upland environmental corridors. Each local unit of government in which a upland environmental corridor is located must then enact an ordinance that meets these objectives. If a local unit of government fails to do so within one year after the mapping is completed, DNR must then enact an ordinance for the local unit of government.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.370 (3) (ma) of the statutes is amended to read:

2           20.370 (3) (ma) *General program operations — state funds.* From the general  
3 fund, the amounts in the schedule for regulatory and enforcement operations under  
4 chs. 30, 31 and 280 to 299, except s. 281.48, and ss. 44.47, 59.692, 59.693, 61.351,  
5 61.354, 62.231, 62.234, ~~106.421~~ <sup>66.10005</sup> and 87.30, for reimbursement of the conservation  
6 fund for expenses incurred for actions taken under s. 166.04; for review of  
7 environmental impact requirements under ss. 1.11 and 23.40; and for enforcement  
8 of the treaty-based, off-reservation rights to fish, hunt and gather held by members  
9 of federally recognized American Indian tribes or bands.

10           **SECTION 2.** 30.12 (4) (a) of the statutes ~~as affected by 1999 Wisconsin Act 9,~~ is  
11 amended to read:

12           30.12 (4) (a) Activities affecting waters of the state as defined in s. 281.01 (18)  
13 that are carried out under the direction and supervision of the department of  
14 transportation in connection with highway, bridge or other transportation project  
15 design, location, construction, reconstruction, maintenance and repair are not

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subject to the prohibitions or permit or approval requirements specified under this section or s. 29.601, 30.11, 30.123, 30.19, 30.195, 30.20, 59.692, 61.351, 62.231, ~~66.421~~<sup>66.1002</sup> or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48. However, at the earliest practical time prior to the commencement of these activities, the department of transportation shall notify the department of the location, nature and extent of the proposed work that may affect the waters of the state.

SECTION 3. 30.202 (3) of the statutes is amended to read:

30.202 (3) EXEMPTION FROM STATUTES AND RULES. Dredge spoil disposal activities authorized under sub. (2) are exempt from any prohibition, restriction, requirement, permit, license, approval, authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601, 30.01 to 30.20, 30.21 to 30.99, 59.692, ~~66.421~~<sup>66.1002</sup> or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48, or specified in any rule promulgated, order issued or ordinance adopted under those sections or chapters.

SECTION 4. 30.204 (5) of the statutes is amended to read:

30.204 (5) EXEMPTION FROM CERTAIN STATUTES AND RULES. Activities of the department in conducting the lake acidification experiment are exempt from any prohibition, restriction, requirement, permit, license, approval, authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601 (3), 30.01 to 30.03, 30.06 to 30.16, 30.18 to 30.29, 30.50 to 30.99, 59.692, ~~66.421~~<sup>66.1002</sup>, 87.30, 287.81, 299.15 to 299.23, 299.91, 299.95 or 299.97 or chs. 281, 283 or 289 to 292 or specified in any rule promulgated, order issued or ordinance adopted under any of those sections or chapters.

SECTION 5. 41.41 (8) of the statutes is amended to read:

41.41 (8) ZONING. Notwithstanding ss. 13.48 (13) (a), 59.69 (4), 60.61 (2), 60.62 (1), ~~61.35~~<sup>61.35</sup> and 62.23 (7), the Kickapoo valley reserve is not subject to the zoning

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## SECTION 5

ordinance of any county or municipality, except that any ordinance enacted under s. 59.692, 61.351, 62.231, ~~66.021~~ <sup>66.1002</sup> 67.30 <sup>or plain</sup> governing the zoning of floodplains, upland environmental corridors, shorelands or wetlands in shorelands and any ordinance that is required by law under s. 59.693, 61.354 <sup>5</sup> or 62.234 governing construction site erosion control or storm water management applies in the reserve.

SECTION 6. ~~66.021~~ <sup>66.0217(8)(a)</sup> of the statutes is amended to read:

~~66.021~~ <sup>66.0217(8)(a)</sup> (a) <sup>ANNEXATION ORDINANCE</sup> An ordinance for the annexation of the territory described in the annexation petition <sup>under sub. (3)</sup> may be enacted by a two-thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate the petition and not later than 120 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. If the annexation is subject to sub. <sup>6</sup> (a) the governing body shall first review the reasons given by the department ~~of~~ <sup>administration</sup> that the proposed annexation is against the public interest. Subject to s. ss. 59.692 (7) and ~~66.021~~ <sup>66.1002</sup> (5) (a) 5., <sup>\* under this subsection</sup> an ordinance may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing <sup>a</sup> ~~such~~ temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make ~~such~~ <sup>a</sup> temporary classification ~~shall~~ <sup>is</sup> not be effective when the county ordinance prevails during litigation as provided in s. 59.69 (7).

SECTION 7. ~~66.021~~ <sup>66.0307</sup> (3) (e) of the statutes is amended to read:

~~66.021~~ <sup>66.0307</sup> (3) (e) *Content of plan; compatibility with existing law.* The cooperative plan shall describe how the plan is consistent with current state and federal laws,

LPS:  
Please  
print  
pp. 4, 5, 6,  
and 10  
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## SENATE BILL 428

county shoreland zoning ordinances under s. ss. 59.692 and ~~66.1002~~ <sup>66.1002</sup>, municipal regulations and administrative rules that apply to the territory affected by the plan.

<sup>66.0307</sup> SECTION 8. ~~66.023~~ (7m) of the statutes is amended to read:

<sup>66.023</sup> (7m) ZONING IN TOWN TERRITORY. If a town is a party to a cooperative plan with a city or village, the town and city or village may agree, as part of the cooperative plan, to authorize the town, city or village to adopt a zoning ordinance under s. 60.61, 61.35 or 62.23 for all or a portion of the town territory covered by the plan. The exercise of zoning authority by a town under this subsection is not subject to s. 60.61 (3) or 60.62 (3). If a county zoning ordinance applies to the town territory covered by the plan, that ordinance and amendments to it continue until a zoning ordinance is adopted under this subsection. If a zoning ordinance is adopted under this subsection, that zoning ordinance continues in effect after the planning period ceases until a different zoning ordinance for the territory is adopted under other applicable law. This subsection does not affect zoning ordinances adopted that are in effect under ss. 59.692, ~~66.427~~ <sup>66.1002</sup>, 87.30 or 91.71 to 91.78.

<sup>66.0219</sup> SECTION 9. ~~66.024~~ (5m) of the statutes is amended to read:

<sup>66.024</sup> (5m) TEMPORARY ZONING OF AREA PROPOSED TO BE ANNEXED. An interim zoning ordinance to become effective only upon approval of the annexation at the referendum election may be enacted by the governing body of the city or village. Subject to s. ss. 59.692 (7) and ~~66.427~~ <sup>66.1002</sup> (5) (a) 5., the ordinance may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). The proposed interim zoning ordinance shall be referred to and recommended by the plan commission prior to introduction. Authority to make <sup>is</sup> ~~any~~ temporary classification ~~shall~~ <sup>is</sup> not be effective

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## SECTION 9

when the county zoning ordinance prevails during litigation as provided in s. 59.69

(7).

SECTION 10. ~~66.025~~ of the statutes is amended to read:

<sup>66.0223</sup> ~~66.025~~ **Annexation of owned territory.** In addition to other methods provided by law and subject to ss. 59.692 (7) and <sup>Plan → 0387</sup> ~~66.022~~ (7) and <sup>66.1002</sup> ~~66.021~~ (5) (a) 5., territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and shall operate to attach the territory to the village or city upon the filing of 6 certified copies thereof in the office of the secretary of state, together with 6 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue, and one copy to the department of public instruction.

SECTION 11. <sup>66.1002</sup> ~~66.027~~ of the statutes is created to read:

<sup>66.1002</sup> ~~66.027~~ **Zoning of upland environmental corridors.** (1) DEFINITIONS. In this section:

- (a) "Department" means the department of natural resources.
- \* (b) "Local unit of government" means a city, village or county.
- (c) "Shorelands" has the meaning given in s. 59.692 (1) (b). ✓

(2) DETERMINATION OF UPLAND ENVIRONMENTAL CORRIDORS. (a) The department shall promulgate rules that specify criteria for determining the types of areas that

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1 shall be included as upland environmental corridors on the maps under sub. (3).<sup>✓</sup> The  
2 types of areas may include:

- 3 1. Woodlands.
- 4 2. Wetlands that are not located in shorelands.
- 5 3. Wildlife habitat areas.
- 6 4. Areas consisting of prairie communities.
- 7 5. Areas of steep slope or rough topography.

8 (b) The department shall promulgate rules that establish standards for  
9 identifying and delineating upland environmental corridors, including minimum  
10 requirements for the sizes of these corridors.

11 (c) Upland environmental corridors that meet the criteria and standards  
12 established by rule under this subsection<sup>✓</sup> shall be mapped as required under sub. (3)<sup>✓</sup>  
13 and are subject to the ordinances required under sub. (5).<sup>✓</sup>

14 (3) MAPPING. (a) Each regional planning commission shall map the upland  
15 environmental corridors within its region. If any part of a local unit of government  
16 is not under the jurisdiction of a regional planning commission, the local unit of  
17 government shall either map the upland environmental corridors within the  
18 boundaries of the local unit of government or shall contract with a regional planning  
19 commission to perform the mapping. The mapping required under this paragraph<sup>✓</sup>  
20 shall be completed before January 1, <sup>2007</sup>2005.

21 (b) If a regional planning commission or a local unit of government fails to  
22 complete the mapping before January 1, <sup>2007</sup>2005, the department shall complete the  
23 mapping before January 1, <sup>2008</sup>2006.

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## SECTION 11

1 (c) The department shall promulgate rules to be used by the department to  
2 review and certify the mapping performed by regional planning commissions and  
3 local units of government under this subsection.

4 (4) OBJECTIVES FOR UPLAND ENVIRONMENTAL CORRIDORS. The department shall  
5 promulgate rules that establish objectives for protecting upland environmental  
6 corridors from land use practices that reduce the upland environmental corridors'  
7 natural values, including objectives as to the amount and type of development that  
8 may occur in upland environmental corridors.

9 (5) ORDINANCES. (a) *County ordinances.* 1. Each county that has an upland  
10 environmental corridor within the county's unincorporated area shall enact an  
11 ordinance that meets the objectives established by the department under sub. (4).  
12 An ordinance enacted under this <sup>sub</sup>section may be enacted separately from ordinances  
13 enacted under s. 59.69. ✓

14 2. Except as otherwise provided in this section, the provisions of s. 59.69 apply  
15 to an ordinance enacted under this <sup>sub</sup>section, but the ordinance is exempt from any  
16 requirement that it be approved by a town or a town board.

17 3. If a town ordinance that is in effect on the effective date of this subdivision ✓  
18 .... [revisor inserts date], and that relates to land located in an upland environmental  
19 corridor is more restrictive than an ordinance enacted under this section affecting  
20 the same land, it continues as a town ordinance in all respects to the extent of the  
21 greater restrictions, but not otherwise.

22 4. Requests for variances and appeals regarding upland environmental  
23 corridors within a county shall be decided by the board of adjustment for that county  
24 under s. 59.694, ✓ and the procedures of that section apply to such requests and  
25 appeals.

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1           5. Provisions of an upland zoning ordinance that are enacted under this<sup>sub</sup> section  
2           and that were applicable, prior to annexation, to any upland environmental corridor  
3           area annexed by a city or village after the county has enacted the ordinance under  
4           this<sup>sub</sup> section shall continue in effect and shall be enforced after annexation by the  
5           annexing city or village.

6           (b) *City and village ordinances.* 1. Each city or village that has an upland  
7           environmental corridor within its borders shall enact an ordinance that meets the  
8           objectives established by the department under sub. (4).<sup>✓</sup> An ordinance enacted under  
9           this<sup>sub</sup> section may be enacted separately from ordinances enacted under s. 62.23 (7).<sup>✓</sup>

10           2. Except as otherwise provided in this section, the provisions of s. 62.23 (7)<sup>✓</sup>  
11           apply to an ordinance enacted under this<sup>sub</sup> section.

12           3. Requests for variances and appeals regarding upland environmental  
13           corridors within a city or village shall be decided by the board of<sup>appeals</sup> adjustment<sup>T</sup> for that  
14           city or village under s. 62.23 (7) (e),<sup>✓</sup> and the procedures of that paragraph apply to  
15           such requests and appeals.

16           (c) *Ordinances in general.* 1. An ordinance enacted under this<sup>sub</sup> section  
17           supersedes all provisions of an ordinance enacted under ss. 59.69,<sup>✓</sup> 61.35,<sup>✓</sup> and 62.23  
18           (7)<sup>✓</sup> that relate to upland environmental corridors.

19           2. If a local unit of government does not enact an ordinance within one year  
20           after the mapping for the local unit of government is completed under sub. (3)<sup>3</sup> or if  
21           the department, after notice and hearing, determines that a local unit of government  
22           has enacted an ordinance that fails to meet the objectives established by the  
23           department under sub. (4),<sup>✓</sup> the department shall enact such an ordinance for the  
24           local unit of government.

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## SECTION 11

3. Ordinances enacted under this <sup>sub</sup>section may not result in duplicate zoning restrictions for areas that are subject to zoning under s. 59.692, 61.351, 62.231 or 87.30.

(6) RULES. In promulgating rules under this section, the department shall consult with local units of government and regional planning commissions.

SECTION 12. 70.32 (1g) <sup>X</sup> of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

70.32 (1g) In addition to the factors set out in sub. (1), the assessor shall consider the effect on the value of the property of any zoning ordinance under s. 59.692, 61.351 or, 62.231 or <sup>66.1002</sup> ~~66.421~~, any conservation easement under s. 700.40, any conservation restriction under an agreement with the federal government and any restrictions under ch. 91. Beginning with the property tax assessments as of January 1, 2000, the assessor may not consider the effect on the value of the property of any federal income tax credit that is extended to the property owner under section 42 of the Internal Revenue Code.

SECTION 13. 91.73 (1) <sup>X</sup> of the statutes is amended to read:

91.73 (1) Except as otherwise provided, exclusive agricultural zoning ordinances shall be adopted and administered in accordance with any applicable provisions under ss. 59.69, 59.692, 59.693 and, 59.694, 61.35 or, 62.23 or and <sup>66.1002</sup> ~~66.421~~ and under subch. VIII of ch. 60.

SECTION 14. 289.33 (3) (d) <sup>X</sup> of the statutes is amended to read:

289.33 (3) (d) "Local approval" includes any requirement for a permit, license, authorization, approval, variance, or exception or any restriction, condition of approval or other restriction, regulation, requirement or prohibition imposed by a charter ordinance, general ordinance, zoning ordinance, resolution or regulation by

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a town, city, village, county or special purpose district, including without limitation because of enumeration any ordinance, resolution or regulation adopted under s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (9) (10) and (11), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 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(316), 66.24 (317), 66.24 (318), 66.24 (319), 66.24 (320), 66.24 (321), 66.24 (322), 66.24 (323), 66.24 (324), 66.

**SECTION 15.** 289.35 of the statutes is amended to read:

289.35 Shoreland, upland and floodplain zoning. Solid waste facilities are prohibited within areas under the jurisdiction of ~~shoreland and floodplain zoning~~ regulations adopted zoning ordinances that are in effect under ss. 59.692, 61.351, 62.231, ~~66.421~~ <sup>66.1002</sup> and 87.30, except that the department may issue permits authorizing facilities in such areas.

**SECTION 16.** 289.43 (7) (c) of the statutes is amended to read:

289.43 (7) (c) The department shall approve the requester's exemption proposal if the department finds that the proposal, as approved, will comply with this chapter and chs. 30, 31, 160 and 280 to 299 and ss. 1.11, 23.40, 59.692, 59.693, 60.627, 61.351, 61.354, 62.231, <sup>5</sup>62.234, ~~60.427~~ <sup>66.100 & 6</sup> and 87.30. If the proposal does not comply with one or more of the requirements specified in this paragraph, the department

**SENATE BILL 428****SECTION 16**

1 shall provide a written statement describing how the proposal fails to comply with  
2 those requirements. The department shall respond to an application for an  
3 exemption under this subsection within 90 days.

**SECTION 17. Nonstatutory provisions.**

5 (1) The department of natural resources shall submit in proposed form the  
6 rules required under section ~~66.427~~ <sup>66.100</sup> of the statutes, as created by this act, to the  
7 legislative council staff under section 227.15 (1) of the statutes no later than the first  
8 day of the 19th month beginning after the effective date of this subsection.

9 (END)



FNS 6-A

Sec# CR; 66.1001(3)(Lm)

66.1001(3)(Lm) <sup>(B)</sup> City or village <sup>upland</sup> upland

environmental corridor zoning ordinances  
enacted

enacted or amended under S. 66.1002

(5)(b)<sup>✓</sup>, or a county <sup>corridor</sup> upland

environmental corridor zoning

ordinance enacted or amended

under S. 66.1002(5)(a)<sup>✓</sup> ①

# AM; 66.0223

and 66.1002 (5)(a) 5.,

**66.0223 Annexation of territory owned by a city or village.** In addition to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance in the office of the secretary of state, together with 7 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Section 66.0217 (11) applies to annexations under this section.



STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

March 30, 2001

### MEMORANDUM

To: Senator Risser

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-2455 Zoning of upland environmental corridors

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

\_\_\_\_ JACKET FOR ASSEMBLY ☒ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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FAX: (608) 266-5648

STEPHEN R. MILLER  
CHIEF

July 9, 2001

## MEMORANDUM

**To:** Senator Risser

**From:** Mary Gibson-Glass, Sr. Legislative Attorney, (608) 267-3215

**Subject:** Technical Memorandum to **2001 SB-209** (LRB-2455/1)

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We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

## **MEMORANDUM**

July 9, 2001

**TO:** Mary Gibson-Glass  
Legislative Reference Bureau

**FROM:** Dennis Collier  
Department of Revenue

**SUBJECT:** Technical Memorandum on SB 209 - Zoning of Upland Environmental Corridors

In Section 12 of the bill, s. 66.1002(3)(a) requires regional planning commissions (RPC) to map upland environmental corridors. If any part of a local unit of government is not under the jurisdiction of a RPC, the local unit of government is required to either map the corridor within its boundaries or contract with a RPC to do so. It is unclear which local unit of government would be responsible for the areas outside the jurisdiction of a RPC since such areas would be within the boundaries of both a municipality and county. It may be preferable to state that the city or village is responsible for such areas within their boundaries and that counties would be responsible for unincorporated areas outside RPC jurisdiction.

If you have questions regarding this technical memorandum, please contact Rebecca Boldt at 266-6785.

DC:RB